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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1013 OF 2007

Sheetal Pittie ... Petitioner

Vs.

The State of Maharashtra & Ors. ... Respondents

Mr. Ashwin Vaish i/b Mr. H.V. Kode for the petitioner.

Mr. S.R. Borulkar, Public Prosecutor with Ms. U.V. Kejariwal, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI &
D. B. BHOSALE, JJ.

DATED : 26TH JUNE, 2007.

P.C.:-

1. Before we deal with the petition, it is necessary to deal with the serious grievance made by the learned counsel for the petitioner on the last occasion as regards the alleged misconduct of Mr. Mahendra N. Pardeshi, the Police Inspector attached to Bundgarden Police Station, Dist. Pune. After hearing the learned counsel for the petitioner, we had directed Mr. Pardeshi to remain present in the court. Mr. Pardeshi, however, did not remain present in the court as directed by us. Ms. Kejariwal, the learned A.P.P. told us that Mr. Pardeshi refused to remain present in the court. On 25/6/2007, we adjourned the matter to 26/6/2007. We, however, directed Mr. Pardeshi to remain present in the court on 26/6/2007. Pursuant to our direction, Mr. Pardeshi is

present in the court today. Affidavit has been filed by Mr. Pardeshi explaining why he could not remain present in the court as directed by us. He has also given explanation as regards the other allegations made by the petitioner. In paragraph 7 of the affidavit, Mr. Pardeshi has tendered an unconditional apology to this court for not attending this court on 12/6/2007. In the peculiar facts and circumstances of the case and considering the fact that Mr. Pardeshi has remained present in the court today and has tendered an unconditional apology to this court for not remaining present in the court, we feel that it is not necessary to go into the other allegations made by the petitioner. We accept the unconditional apology tendered by Mr. Pardeshi.

2. We will now advert to the petition. The petitioner has prayed that FIR bearing C.R. No.29 of 2007 registered at Hadapsar Police Station, Pune be transferred to CB, CID or any other Investigating Agency. In short, the grievance of the petitioner, inter alia, appears to be that the petitioner's complaint was registered in Marathi language. The petitioner is not conversant with Marathi language. Later on, she found that the police have not recorded the major allegations made by her against her husband. According to the petitioner, the police have therefore not carried out any investigation in respect of certain vital issues.

3. Ms. Kejariwal, the learned A.P.P. on instructions states that if the petitioner submits further written statement along with documents if any, the police will treat the same as supplementary statement and carry out such

investigation as may be necessary. The learned counsel for the petitioner on instructions from the petitioner who is present in the court, states that a written statement will be submitted by the petitioner to the Hadapsar Police Station, Pune, within a period of one week from today. Needless to say that on such statement being submitted, the police shall treat it as supplementary statement and carry out further investigation on the basis thereof. No further orders are necessary. The petition is disposed of.

4. All concerned to act on the authenticated copy of this order.

[SMT. RANJANA DESAI, J.]

[D. B. BHOSALE, J.]